

ITW



PATENT
ATTORNEY DOCKET: 46969-5454

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Masakazu OGASAWARA) Confirmation No.: 4674
Application No.: 10/594,532) Group Art Unit: 2872
Filed: July 6, 2007) Examiner: Faye G. Assaf
For: HOLOGRAM RECORD CARRIER,)
HOLOGRAM APPARATUS AND)
RECORDING METHOD)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicant does not believe that a fee is due for filing this paper.

A European Search Report dated September 4, 2008 that issued in a European Patent Application and having documents cited therein is attached for the Examiner's consideration. Except as discussed below, the cited documents are listed on the attached PTO Form 1449 and a copy of any cited non-U.S. patent documents are also attached hereto.

While the European Search Report additionally cites to Japanese Patent Kokai No. 11-311937, this document is not listed on the attached PTO Form 1449 because it was previously cited in an Information Disclosure Statement in this application on September 28, 2006.

Applicant respectfully requests that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If it should be determined that the listed document does not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

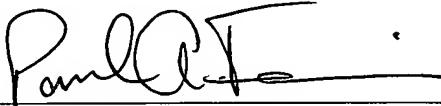
This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.13(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: October 21, 2008

By:



Paul A. Fournier
Registration No. 41,023

Customer No. 055694

DRINKER, BIDDLE & REATH LLP
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel: (202) 842-8800
Fax: (202) 842-8465